

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

FAO No. 3635 of 2005 (O&M)

Date of decision : 30.10.2006

Sant Baba Mann Singh

....Appellant

Versus

Surinder Kaur and others

...Respondents

CORAM : HON'BLE MR.JUSTICE UMA NATH SINGH  
HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.Vijay Lath, Advocate for the appellant.

...

MAHESH GROVER, J.

Delay in refiling is condoned and the appellant is allowed to make the deficiency of court fee good.

The present appeal has been preferred by the owner of the car allegedly involved in the accident against the award of the Motor Accident Claims Tribunal, Ropar dated 3.2.2005 passed in M.A.C.T. Case No.3 of 24.1.2002.

The appellant has assailed the findings of the Tribunal on the ground that his vehicle was not involved in the accident and the quantum of compensation as determined by the Tribunal is excessive.

We have heard the learned counsel for the appellant and have considered the submissions made by him. We are, however, unable to persuade ourselves to agree to the same because of the reason that the owner of the car has been challaned and is facing trial after the police in its investigation found a prima facie case against him. Besides, involvement of the car in the accident cannot be denied

because the car was placed in the Malkhana of the police in a damaged condition. That apart, the Tribunal has granted Rs.1,97,000/- as compensation in the case of death of a 23 years old young man who was stated to be an electrician by vocation. By no stretch of imagination can this award be termed to be excessive.

For the foregoing reasons, we do not find any merit in the appeal which is accordingly dismissed in limine.

(MAHESH GROVER)  
JUDGE

30.10.2006

(UMA NATH SINGH)  
JUDGE

*dss*